



36251

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PD
2/21/03

APPROPRIATE DOCKET : RM.MB1)
APPLICANTS : Pickard, et al.)
SERIAL NO. : 09/668,819) Examiner
FILED : September 21, 2000) M.S. Gart
FOR : Pooled Transactions System) Art Unit
3625

Commissioner for Patents
Washington, D.C. 20231
Attn: Box Non-Fee Amendment

CERTIFICATE OF MAILING

The undersigned hereby certifies that this document has been forwarded via first class postage prepaid mail to the Commissioner for Patents, Attn: Box Non-Fee Amendment, Washington, D.C. 20231 on January 31, 2003.

BENITA J. ROHM, REG. NO. 28,664

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RESPONSE TO RESTRICTION REQUIREMENT

SIR:

In response to the Restriction Requirement in the Office Action of December 31, 2002, please amend the above-identified application as follows:

In the Claims:

Please cancel non-elected claims 16-29.

Ex note
of amendment
2/21/03

REMARKS

Amendments are presented herein to comply with a Restriction Requirement.

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §

121:

RESPONSE TO RESTRICTION REQUIREMENT

APPLICANTS: Pickard and Monsanto; SERIAL NO.: 09/668,819; FILED: September 21, 2000

EXAMINER: M.S. Gart; ART UNIT: 3625; ATTY DOCKET: RM.MB1



Group I: Claims 1-15, which are considered by the Examiner to be drawn to a method of transacting sales over a computerized network, classified in class 705, subclass 26; and

Group I: Claims 16-19, which are considered by the Examiner to be drawn to a method of including a prospective purchaser in a pool in a computerized network transaction system, classified in class 705, subclass 26.

According to the Examiner, the inventions of Groups I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the Examiner asserts that the invention of Group II has separate utility, such as [sic] a prospective purchaser, MPEP § 806.05(d).

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Applicants' Response

Applicants hereby elect to continue prosecution of the claims of Group I (Claims 1-15), the present election being without prejudice and without traverse.

Conclusion

In view of the foregoing, it is respectfully requested that the Examiner reconsider the present application, allow the claims, and pass the application for issue. If the Examiner believes that the prosecution of this case can be expedited by a telephone interview, the Examiner is requested to call attorney for Applicants at the telephone number indicated hereinbelow.

BJR:rk:RRR.MB1

Respectfully submitted,

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